

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**AMERICAN SALES AND MANAGEMENT
ORGANIZATION, LLC D/B/A
EULEN AMERICA**

and

Case 12-CA-163435

**SERVICE EMPLOYEES INTERNATIONAL
UNION, LOCAL 32BJ**

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-737588 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena.² See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., June 8, 2016

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
KENT Y. HIROZAWA,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² In considering the petition to revoke, we have evaluated the subpoena as modified by the Region in its opposition brief, in which the Region agreed that the Employer may redact any prices contained in the information requested by subpoena par. 1 (Opp. at 7), and amended subpoena par. 2 to narrow the time frame so that it now requests contact information regarding "all wheelchair attendants employed at the Employer's facility at any time during the period from September 1, 2015 to November 30, 2015." (Opp. at 8.)